

1-12-04

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Image 1637

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

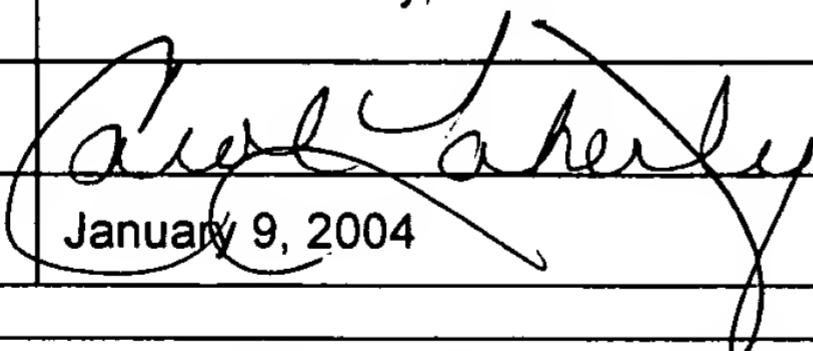
Application Number	09/902,941
Filing Date	July 10, 2001
First Named Inventor	Robert A. Henderson
Art Unit	1637
Examiner Name	Young J. Kim
Attorney Docket No.	210121.478C17

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> CD(s), Number of CD(s) _____
<input type="checkbox"/> <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> <input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Declaration	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement; Form PTO-1449	<input type="checkbox"/> Statement under 37 CFR 3.73(b)	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Cited References	<input type="checkbox"/> Terminal Disclaimer	<u>Copy of return-receipt postcard</u>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	<u>Copy of Express Mail label</u>
<input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53		<u>Copy of Amendment and transmittal sheet (4 sheets)</u>
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Carol D. Laherty, Ph.D.	Customer Number
		00500
Signature		
Date	January 9, 2004	

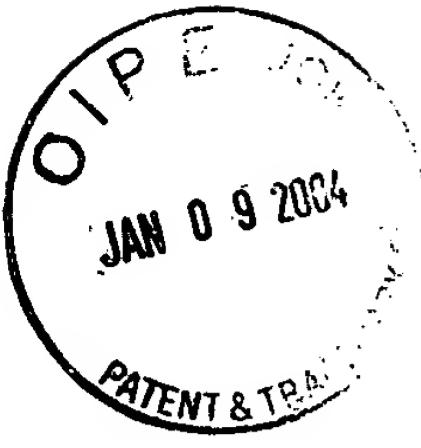
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	SENT VIA EXPRESS MAIL	
Signature		Date:

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert A. Henderson et al.
Application No. : 09/902,941
Filed : July 10, 2001
For : COMPOSITIONS AND METHODS FOR THE THERAPY AND
DIAGNOSIS OF LUNG CANCER

Examiner : Young J. Kim
Art Unit : 1637
Docket No. : 210121.478C17
Date : January 9, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181

Commissioner for Patents:

Applicants hereby petition the Commissioner to withdraw the Notice of Abandonment mailed December 3, 2003 for failure to timely file a proper reply to an Office Action mailed May 23, 2003 in the above-referenced application.

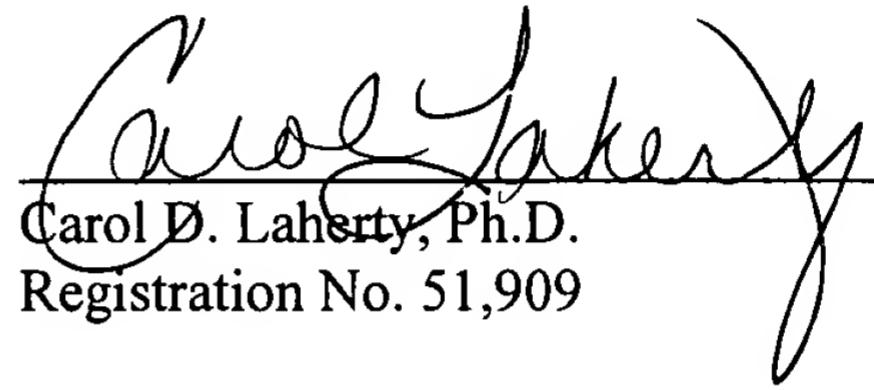
Applicants note that an Amendment was timely filed on August 21, 2003. Applicants enclose herewith the following supporting documentation:

1. A copy of the return receipt postcard date stamped August 21, 2003;
2. A copy of the Express Mail label showing the Amendment was mailed on August 21, 2003; and
3. A copy of the Amendment as filed.

Application No. 09/902,941
Reply to Notice of Abandonment dated December 3, 2003

Accordingly, applicants hereby request that this file be withdrawn from abandonment and the Amendment mailed August 21, 2003 be entered into the application. Should questions remain, the Examiner is invited to contact applicants' attorney, Carol D. Laherty, Ph.D. by telephone at 206-622-4900 or by email at caroll@seedlaw.com.

Respectfully submitted,
SEED Intellectual Property Law Group PLLC


Carol D. Laherty, Ph.D.
Registration No. 51,909

CDL:jto

Enclosures:

Postcard
Copy of Return Receipt Postcard
Copy of the Express Mail Label
Copy of the Amendment as filed

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031

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Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SENT: August 21, 2003
DUE: August 23, 2003

Kindly acknowledge receipt of the below-listed documents by placing
your receiving stamp hereon and mailing:

**PTO/SB/21; Response Under 37 CFR § 1.111, in re: Robert A. Henderson et al.,
USAN 09/902,941, filed July 10, 2001, for COMPOSITIONS AND METHODS FOR
THE THERAPY AND DIAGNOSIS OF LUNG CANCER.**

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SEED INTELLECTUAL PROPERTY LAW GROUP PLLC

